

REMARKS

The outstanding issues in the instant application are as follows:

- The Examiner has requested formal Drawings be submitted;
- Claims 1 – 20 are rejected under 35 U.S.C. § 102(e).

Applicant hereby traverses the outstanding rejections and requests reconsideration, and withdrawal in light of the remarks contained herein. Claims 1 – 20 are pending in this application.

Formal Drawing

Applicant contends that the formal drawing with all of the figures were already submitted with the original filing of this application. The Examiner has given Applicant no indication as to what aspects of the formal drawings filed with the present application are unacceptable. Therefore, Applicant respectfully requests the Examiner to provide specific information as to the apparent insufficiency, if any, of the formal drawings already on file.

Rejections Under 35 U.S.C. § 102(e)

Claims 1 – 20 are rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent Application, Publication No.: 2002/0046041 to Lang (hereinafter *Lang*).

It is the Examiner's contention that all of the claims rejected are anticipated by *Lang*. However, to anticipate a claim under 35 U.S.C. § 102, a reference must teach every element of the claim, see M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim," see M.P.E.P. § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). The Applicant respectfully submits that *Lang* does not teach every element of the rejected claims, nor does it teach the identical invention in as complete a detail as recited in those claims.

Claim 1 cites a reputation authority comprising, in pertinent part:

security measures for verifying identities of at least one of said user and a plurality of community organizations; and

a communication system for receiving said reputation information and transmitting said reputation information to said plurality of community organizations responsive to an authorization received by said user.

The Examiner has, again, rejected claim 1 using the communication system element by citing paragraphs 0007, 0042, 0043, 0024, and 0028 of *Lang* and stating that,

[I]f the reputation information is particularly sensitive, only selected parties may be able to access this information, wherein the authorization may require that the requesting [sic] that the requester provide the user ID and password in some instance, in order to ensure the information reaches the appropriate party and is only modifiable by the appropriate requesting party.

Thus, the Examiner has not only interpreted “an authorization received by said user” to equate with the requestor entering a user ID and password on certain occasions, but has also equated the identification verification element with the same act of entering the user ID and password. In support of this conclusion, the Examiner asserts that he is entitled to the broadest reasonable interpretation of the claims. Applicant does not dispute that the law entitles the Examiner to use the broadest reasonable interpretation of the claims. However, this interpretation advanced by the Examiner is *not* reasonable.

According to claim 1, the stored reputation information relates to the user (*Lang*’s “party”), (e.g., “A reputation authority for electronically storing reputation information relating to a user”). Furthermore, this reputation information about the user is transmitted to the plurality of community organizations (*Lang*’s “clients”). Under the Examiner’s reading, claim 1 of the present invention would always require the user (*Lang*’s “party”) to be one and the same with the plurality of community organizations (*Lang*’s “clients”).

In operation, *Lang*’s client would have to verify it’s identity in the present invention. According to the Examiner, this would be accomplished by entering the client’s user ID and password. Next, according to the Examiner’s interpretation, the client would receive the reputation information in response to the client’s entry of it’s user ID and password, which the Examiner equates with the identification verification and authorization elements. However, because claim 1 requires the authorization to be from the user (i.e., *Lang*’s

“party”), and also requires that the reputation information be related to the user, the reputation information being received by the plurality of community organizations (*Lang*’s “clients”) would relate to the requesting plurality of community organizations. Therefore, according to the Examiner’s interpretation, the client accesses a reputation authority, enters the user ID and password to both verify its identification and authorize transmission of the reputation information, and then receive the transmission of the reputation information that happens to be related to the requesting client anyway. This is clearly a nonsensical situation and certainly does not reflect the claims read in light of the present disclosure. Applicant, thus, respectfully asserts that, for the above reasons, claim 1 is patentable over the § 102(e) rejection of record and requests the Examiner to withdraw such rejections.

Claims 2 – 8 depend directly from base claim 1, and thus inherit all of claim 1’s limitations. The Applicant, therefore, respectfully asserts that, for the above reasons, claims 1 – 8 are patentable over the 35 U.S.C. § 102(e) rejection of record.

Independent claims 9 and 15 require “delivering at least one set of said identity attributes to said verified third party responsive to an authorization received from said verified associated user,” and “means for releasing selected reliability data to one of said verified plurality of participating communities responsive to consent given by said associated user,” respectively. Thus, each of claims 9 and 15 requires similar elements to claim 1 in releasing the information responsive to an authorization or consent from the party to whom the information relates. None of the selections from *Lang* cited by the Examiner reasonably provide for the reputation information to be transmitted to *Lang*’s clients responsive to authorization from *Lang*’s party. Therefore, Applicant respectfully asserts that claims 9 and 15 are patentable over the § 102(e) rejection of record for the same reasons stated above.

Claims 10 – 14 and 16 – 20 each depend directly from base claim 9 and 15, respectively, and thus inherit all of their limitations. Applicant, therefore, respectfully asserts that, for the above reasons, claims 9 – 20 are patentable over the 35 U.S.C. § 102(e) rejection of record.

General Remarks in Response to Examiner's Statements

In rejecting the present claims, the Examiner remarked that a great deal of explanation needs to be provided to one of ordinary skill in the art because "... it is clear that the claims are NOT SELF SUFFICIENT." (Emphasis in original.) Applicant respectfully asserts that the Examiner has not correctly applied the law in relation to the purpose of the claims. While the claims must particularly point out and distinctly claim the subject matter of the invention, which Applicant believes has been satisfied in the present invention, the claims are *not* required or even intended to be self-sufficient. 37 C.F.R. § 1.75(a).

37 C.F.R. § 1.71(a) provides:

The specification must include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art of science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same.

It is the specification as a whole, which includes the claims, that must give such a full explanation of the invention that would enable one of ordinary skill in the art to practice the invention. Therefore, the Examiner's statement that the claims are not self-sufficient is not relevant to the patentability of the claims under the law. While the claims define the scope of the invention, the claims must be read in light of the disclosure in the specification. Applicant, thus, requests the Examiner to reconsider his rejections of the claims by examining the claims in light of the disclosure in the specification, as contemplated by 37 C.F.R. §§ 1.71(a) and 1.75(a).

Furthermore, the Examiner asserted that Applicant failed to comply with 37 C.F.R. § 1.111(b). Section 1.111(b) provides that mere general allegations that claims are patentable over the cited references without specifically pointing out how the claim language is distinguished from the cited references are insufficient to constitute a *bona fide* response. For example, a response which states, "The claims at issue are clearly patentable over the cited reference," would be insufficient by itself to constitute a *bona fide* response under 1.111(b). In contrast, Applicant went to great lengths to specifically quote the claim language at issue and compare the claim language with the specific selections from *Lang* offered by the

Examiner in support of his rejections. Examples of these specific references can be found throughout the majority of Applicant's previous amendment. Therefore, Applicant asserts that she fully complied with 37 C.F.R. § 1.111(b).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 08-2025, under Order No. 10007376-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV256034986US, in an envelope addressed to: MS AF Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date of Deposit: September 24, 2003

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Respectfully submitted,


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